

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
WEDNESDAY- -JULY 5, 2006- -7:30 P.M.

Mayor Johnson convened the Regular Meeting at 7:52 p.m.

ROLL CALL - Present: Councilmembers Daysog, deHaan, Gilmore, Matarrese, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

(06-342) Mayor Johnson announced that the recommendation to appoint Rebecca A. Kozak [paragraph no. 06-349] was withdrawn from the agenda.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(06-343) Welcoming of new Police Chief, Walter Tibbet.

The City Manager introduced the new Police Chief and the City Clerk administered the Oath of Office.

Police Chief Tibbet thanked Council for the opportunity to serve as Police Chief and introduced his family.

(06-344) Library project update.

The Project Manager provided a brief update.

Vice Mayor Gilmore inquired why there was only one bidder for each of the three individual Information Technology Contracts.

The Project Manager stated the Contracts were sole source Contracts for Library technology.

Vice Mayor Gilmore inquired whether the three Contracts came in on budget.

The Project Manager responded the Contracts came in \$200,000 less than expected; stated the furniture Contract came in lower also; the total savings would probably take care of all contingency requirements.

Councilmember deHaan stated the project is on time and on budget; inquired whether \$1 million of the \$2 million Measure O money would be spent.

The Project Manager responded the Measure O reserve for the branch budget is approximately \$1.5 million at this time; stated over \$2 million should return to Measure O funds for branch improvements.

Councilmember deHaan inquired whether some redevelopment bond money was used.

The Project Manager responded \$2 million of redevelopment money was allocated to the project; \$1 million went into funding the construction contract immediately.

Councilmember deHaan inquired whether the other \$1 million earmarked for the project would go back to redevelopment.

The Project Manager responded in the affirmative; further stated \$670,000 in Measure O funding would be earmarked for the main branch until the State audit is completed, which should occur in December.

Mayor Johnson thanked the Project Manager for the project being on time and on budget.

The Project Manager stated another tour of the building should take place next month.

#### CONSENT CALENDAR

Mayor Johnson announced that the recommendation to accept the Park Street Clock [paragraph no. 06-347] was removed from the Consent Calendar for discussion.

Councilmember Matarrese moved approval of the remainder of the Consent Calendar.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 5.

[Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*06-345) Minutes of the Regular City Council Meeting held on June 20, 2006. Approved.

(\*06-346) Ratified bills in the amount of \$3,209,974.98.

(06-347) Recommendation to accept the Park Street Clock donated by Frank and Debbie George, Pillow Park Plaza owners.

Mayor Johnson thanked the George's for the beautiful clock; stated the George's wanted to donate the clock for many years; the clock adds to Park Street's character and appearance.

Debbie George thanked Development Services for handling the process swiftly and professionally.

Mayor Johnson requested that the City hold a dedication ceremony and install a plaque recognizing the George's.

Frank George thanked Council and the community.

By consensus, the motion carried by unanimous vote - 5.

(\*06-348) Recommendation to award Contracts [with Veicon Technology, Inc. and Sirsi Corporation DBA SirsiDynix] in the amount of \$417,445.56 for Information Technology in the New Main Library. Accepted.

(06-349) Recommendation to appoint Rebecca A. Kozak to the Bay Area Library and Information System (BALIS) Advisory Board.  
**Withdrawn.**

(\*06-350) Resolution No. 13982, "Calling for a General Municipal Election to be Consolidated with the Statewide General Election, to be Held in the City of Alameda on Tuesday, November 7, 2006 and Requesting the Alameda County Board of Supervisors to Permit the County Clerk/Registrar of Voters to Render Specified Services to the City Relating to the Conduct of Said Election." Adopted.

(\*06-351) Resolution No. 13983, "Authorizing the City Manager to Execute the Grant Contract between the State of California Department of Boating and Waterways and the Alameda Police Department." Adopted.

#### REGULAR AGENDA ITEMS

(06-352) Resolution No. 13984, "Reappointing Roberto Rocha to the Civil Service Board." Adopted;

(06-352A) Resolution No. 13985, "Appointing Michael E. Soderberg to the Civil Service Board." Adopted;

(06-352B) Resolution No. 13986, "Appointing DuWayne A. Crone to the Commission on Disability Issues." Adopted;

(06-352C) Resolution No. 13987, "Appointing Paulina Kirola to the Commission on Disability Issues." Adopted;

(06-352D) Resolution No. 13988, "Reappointing Judith A. Lynch to the Historical Advisory Board - Community-at-Large Seat." Adopted;

(06-352E) Resolution No. 13989, "Appointing Mark Irons to the Historical Advisory Board - Contractor Seat." Adopted;

(06-352F) Resolution No. 13990, "Reappointing Jeff Cambra to the Housing and Building Code Hearing and Appeals Board." Adopted;

(06-352G) Resolution No. 13991, "Appointing Harold J. Holmes to the Housing and Building Code Hearing and Appeals Board." Adopted;

(06-352H) Resolution No. 13992, "Reappointing Billie Trujillo to the Housing Commission." Adopted;

(06-352I) Resolution No. 13993, "Reappointing Karen A. Butter to the Library Board." Adopted;

(06-352J) Resolution No. 13994, "Reappointing Anne Cook to the Planning Board." Adopted;

(06-352K) Resolution No. 13995, "Reappointing Andrew J. Cunningham to the Planning Board." Adopted;

(06-352L) Resolution No. 13996, "Reappointing Ann McCormick to the Public Utilities Board - Engineer Seat." Adopted;

(06-352M) Resolution No. 13997, "Reappointing Michael J. Kreuger to the Transportation Commissioner." Adopted; and

(06-352N) Resolution No. 13998, "Reappointing Robert L. McFarland to the Transportation Commission." Adopted.

Councilmember Matarrese moved adoption of the resolutions.

Vice Mayor Gilmore seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the Oath of Office and presented certificates to Board and Commission members.

Mayor Johnson thanked the Board and Commission members for their willingness to serve.

#### ORAL COMMUNICATIONS, NON-AGENDA

(06-353) The following speakers discussed Measure A: Former Councilmember Barbara Kerr, Alameda; Karen Butter, League of Women Voters (submitted letter); Arthur Lipow, Alameda Public Affairs Program; Ashley Jones, Alameda; Janet Gibson, Alameda; Helen Sause, Housing Opportunities Makes Economic Sense (HOMES); Pat Gannon,

Alameda; Doug Biggs, Alameda; Reyla Graber, Alameda; Nita Rosen, Alameda; Denise Brady, Alameda; Former Councilmember Lil Arnerich, Alameda.

(06- 354) Duane Rutledge, Dublin, discussed his appeal process regarding the housing lottery at Bayport.

(06-355) Robert Sikora, Alameda, discussed the Plug in Partners program and the environment.

(06-356) David Kirwin, Alameda, raised questions about the Buy Alameda campaign.

Mayor Johnson suggested Mr. Kirwin speak to the Finance Director.

#### COUNCIL COMMUNICATIONS

(06-357) Councilmember Matarrese requested an explanation of the process for the Bayport Housing lottery; inquired when Mr. Rutledge's case would reach an end.

The Development Services Director outlined the process; stated staff received Mr. Rutledge's appeal and would review the matter; if Mr. Rutledge disagrees with the staff ruling, he could appeal to the Community Improvement Commission; noted the process to provide information regarding the rules is being clarified.

(06-358) Councilmember Matarrese inquired when the clean air inventory resolution would be on the Council agenda, to which the City Manager responded July 18, 2006.

Councilmember Matarrese requested the resolution include Alameda Power & Telecom's action regarding Plug in Partners.

#### ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 8:59 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL,  
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY (ARRA), AND  
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING  
WEDNESDAY- -JULY 5, 2006- -5:30 P.M.

Mayor/Chair Johnson convened the Special Joint Meeting at 5:40 p.m.

ROLL CALL - Present: Councilmembers / Board Members /  
Commissioners Daysog, deHaan, Gilmore,  
Matarrese, and Mayor/Chair Johnson - 5.

Absent: None.

The Special Joint Meeting was adjourned to Closed Session to consider:

ARRA Conference with Real Property Negotiators; Property: Alameda Naval Air Station; Negotiating parties: ARRA and Navy; Under negotiation: Price and terms.

(06-339CC) Conference with Labor Negotiators; Agency Negotiators: Craig Jory and Human Resources Director; Employee Organizations: Alameda City Employees Association, International Brotherhood of Electrical Workers, and Management and Confidential Employees Association.

(06-340CC) Conference with Property Negotiators; Property: Fruitvale Railroad Bridge; Negotiating parties: City of Alameda and Army Corp. of Engineers; Under negotiation: Price and terms.

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Mayor/Chair Johnson called a recess at 7:40 p.m. to hold the Regular Meeting and reconvened the Special Joint Meeting at 9:56 p.m.

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(06-038CIC) Conference with Legal Counsel - Existing Litigation; Name of case: Community Improvement Commission v. Cocores Development Company.

(06-341CC) Conference with Legal Counsel - Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One.

Following the Closed Session, the Special Joint Meeting was

reconvened and Mayor/Chair Johnson announced that regarding Alameda Naval Air Station, direction was given to Real Property Negotiators; regarding Conference with Labor Negotiators, Council received a briefing from Labor Negotiators and gave direction on settlement parameters; regarding Fruitvale Railroad Bridge, Council received a briefing from Real Property Negotiators and gave direction to Negotiator; regarding Existing Litigation, the CIC received a briefing from Legal Counsel and gave direction on settlement parameters; and regarding Anticipated Litigation, Council received briefing from Legal Counsel and gave direction.

#### Adjournment

There being no further business, Mayor/Chair Johnson adjourned the Special Joint Meeting at 12:30 a.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, Community Improvement  
Commission

The Agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL,  
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY,  
AND COMMUNITY IMPROVEMENT COMMISSION MEETING  
WEDNESDAY- -JULY 5, 2006- -7:31 P.M.

Mayor/Chair Johnson convened the Special Joint Meeting at 9:00 p.m.

ROLL CALL - Present: Councilmember/Board Members/Commissioners  
Daysog, deHaan, Gilmore, Matarrese, and  
Mayor/Chair Johnson - 5.

Absent: None.

MINUTES

(06-359CC/06-039CIC) Minutes of the Special Joint City Council, Community Improvement Commission, Alameda Reuse and Redevelopment Authority, and Housing Authority Board of Commissioners Meeting held on June 20, 2006, and the Special Joint City Council, Alameda Reuse and Redevelopment Authority, and Community Improvement Commission Meeting held on June 20, 2006. Approved.

Councilmember/Board Member/Commissioner Matarrese moved approval of the minutes.

Councilmember/Board Member/Commissioner deHaan seconded the motion, which carried by unanimous voice vote - 5.

AGENDA ITEMS

(06-360CC/06-040CIC) Discussion of City Attorney/General Counsel Legal Services and staffing options.

Mayor/Chair Johnson stated she was reluctant to add positions; the Administrative Management Analyst's duties are a Council priority; she does not want to increase staff, but there is a rationale for the position; freezing positions was not done strategically in the past; expanding the number of employees is not the intended direction even if the Council/Commission decides to fill the position; reviewing staffing levels is a long-term process.

Councilmember/Board Member/Commissioner deHaan stated he has concerns about filling the position; the task should be handled by various departments; he is still working through the process of where the position sits; he prefers to have the position closer to the operational side; he is concerned with the job title;



Management Analyst would be more appropriate; he realizes there is a deficit.

Mayor/Chair Johnson stated there should be a review on whether Risk Management should be in the City Attorney's office.

Councilmember/Board Member/Commissioner deHaan stated there is an immediate need; an organizational chart was requested; inquired whether the matter could be held over for one more meeting.

The City Attorney/Legal Counsel responded in the affirmative; stated the position is in the recommended budget; the matter could be held over, and no action would be taken.

Councilmember/Board Member/Commissioner deHaan stated holding the matter over would provide an opportunity for additional review.

Mayor/Chair Johnson requested an explanation of the position's duties and a review on how other cities handle workers' compensation.

Councilmember/Board Member/Commissioner deHaan concurred with Mayor/Chair Johnson.

Vice Mayor/Board Member/Commissioner Gilmore noted the staff report states that the position is not a General Fund position; inquired whether the position actually would be a General Fund position because other departments funded by the General Fund would pay for the position, to which the City Attorney/Legal Counsel responded in the affirmative.

The City Manager/Executive Director stated a portion comes from other funds as well.

Mayor/Chair Johnson and Councilmember/Board Member/Commissioner Matarrese suggested continuing the matter.

Councilmember/Board Member/Commissioner deHaan concurred with Mayor/Chair Johnson and Councilmember/Board Member/Commissioner Matarrese with the caveat that the position not be excluded from the budget.

Mayor/Chair Johnson stated on-going, strategic review is needed.

Councilmember/Board Member/Commissioner Matarrese stated the Council/Commission needs to be provided with an organization chart,

an outline of other duties the position might serve, and a rational for the position being where it is now along with some possible alternatives when the matter returns.

(06-361CC) Resolution No. 13999, "Approving and Adopting the Operating Budget for Fiscal Year 2006-2007 and Appropriating Certain Moneys for the Expenditures Provided in Said Fiscal Year." Adopted;

(06-041CIC) Resolution No. 06-145, "Approving and Adopting the Operating Budget for Fiscal Year 2006-2007 and Appropriating Certain Moneys for the Expenditures Provided in Said Fiscal Year." Adopted; and

ARRA Resolution No. 38, "Approving and Adopting the Operating Budget for Fiscal Year 2006-2007 and Appropriating Certain Moneys for the Expenditures Provided in Said Fiscal Year." Adopted.

The City Manager/Executive Director provided a brief presentation.

Councilmember/Board Member/Commissioner Matarrese stated the budget was presented very clearly; he is concerned about the General Fund revenue; requested that revenue increases or decreases above or below projections be categorized as reliable or unreliable at the sales tax mid-year review; stated the sales tax is still lagging and should be watched carefully; revenue increases or decreases can be included in the ten-year modeling and projections to evaluate how to adjust expenditures moving forward.

Mayor/Chair Johnson inquired whether information was available on sales tax projections.

The Finance Director responded the June quarterly report should be received by the first of August; the Sales Tax Consultant prepares the analogies and summary results; she would try to get the reports sooner.

Mayor/Chair Johnson stated there is a commitment to continue with conservative budgets; the budget increase is less than projected growth in revenue; an Alameda Power and Telecom briefing has not been done.

Vice Mayor/Board Member/Commissioner Gilmore inquired whether a joint meeting has been scheduled with the Golf Commission.

The City Manager/Executive Director responded various joint

meetings would be scheduled.

Vice Mayor/Board Member/Commissioner Gilmore requested an explanation for the loss in Golf revenue in Fiscal Year 1996-1997; stated that she is concerned with redoing the Clubhouse; money has been made in only five of the past ten years.

Councilmember/Board Member/Commissioner deHaan commended staff for putting the budget together in a good, orderly manner; stated all golf courses have had a steady down trend; coming out of construction and into operation is an important phase for Alameda Power and Telecom; competitiveness makes it more difficult to break even; enterprise areas have been successful in the past; the Greater Alameda Business Association (GABA) would like to request funding as part of the mid-year budget review; GABA has extended membership to Harbor Bay; the ten-year forecast is extremely important to ensure key elements are addressed; requested that the ten-year forecast tool come to the Council in the next month or two; the ten-year forecast does not need to be completely refined; suggested reviewing possible funding streams for a \$20,000 to \$30,000 initial analysis of the auxiliary pumping system; further stated: that he is looking forward to sidewalk and tree discussions by mid-year review; programs should be put in the needed state of repair if additional funding materializes; he appreciates the Police and Fire Department's attrition concerns; he would like to have a better understanding of attrition taking place over the next two or three years, including forecasting.

Vice Mayor/Board Member/Commissioner Gilmore requested information on how the City has been impacted by the Metropolitan Golf Course in terms of playing and the banquet facility.

Mayor/Chair Johnson responded the banquet facility is very small.

Vice Mayor/Board Member/Commissioner Gilmore stated the banquet facility is being expanded to accommodate 200 people.

Councilmember/Board Member/Commissioner deHaan stated that San Leandro's banquet facility is very small; the good news is that the rainy season is over; Jim's has been fairly successful at the golf course; Jim's serves the same menu as the restaurant on Lincoln Avenue.

Mayor/Chair Johnson stated discussion on the proposed, new Clubhouse should be addressed at a joint meeting; suggested that the turf management plan be renamed the turf/field management plan.

Councilmember/Board Member/Commissioner Daysog stated the current budget process was seamless and transparent; three components are involved with approving the operating budget: City Council, Community Improvement, and Alameda Reuse and Redevelopment Authority; that he is not ready to endorse shifting from retail/office redevelopment to residential redevelopment [at the Fleet Industrial Supply Center], which has a \$6.9 million cost; suggested that the resolutions be adopted separately.

Mayor/Chair Johnson stated the budget adoption should move forward and the Alameda Power and Telecom briefing should be scheduled.

Councilmember/Board Member/Commissioner Matarrese stated a follow-up joint meeting [with the Public Utilities Board] is needed to address unanswered, time-dependent assessment and evaluation questions raised at the last joint meeting.

Mayor/Chair Johnson stated scheduling a joint meeting might take longer; scheduling a briefing first would allow for better preparation; both a briefing and joint meeting should be scheduled.

Councilmember/Board Member/Commissioner deHaan inquired whether quarterly reports are provided.

The City Manager/Executive Director responded that information provided to the Public Utilities Board would be shared.

Councilmember/Board Member/Commissioner deHaan stated quarterly reports should be the minimum; key indicators need to be reviewed.

Councilmember Matarrese moved adoption of the City Council resolution.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 5.

Commissioner Matarrese moved adoption of the Community Improvement Commission resolution.

Commissioner Gilmore seconded the motion, which carried by the following voice vote: Ayes: Commissioners deHaan, Gilmore, Matarrese, and Chair Johnson - 4. Abstentions: Commissioner Daysog - 1.

Board Member Daysog moved adoption of the Alameda Reuse and

Redevelopment Authority resolution.

Board Member Matarrese seconded the motion, which carried by unanimous voice vote - 5.

ADJOURNMENT

There being no further business, Mayor/Chair Johnson adjourned the Special Joint Meeting at 9:36 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, Community Improvement  
Commission

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL COMMUNITY IMPROVEMENT COMMISSION MEETING  
WEDNESDAY- -JULY 5, 2006- -7:32 P.M.

Chair Johnson convened the meeting at 9:37 p.m.

ROLL CALL - Present: Commissioners Daysog, deHaan, Gilmore, Matarrese, and Chair Johnson - 5.

Absent: None.

MINUTES

(06-042) Minutes of the Annual Community Improvement Commission Meeting held on June 20, 2006. Approved.

Commissioner Matarrese moved approval of the minutes.

Commissioner deHaan seconded the motion, which carried by unanimous voice vote - 5.

AGENDA ITEM

(06-043) Recommendation to authorize the Executive Director to execute a Contract in the amount of \$840,000.00 with Bellecci and Associates for plans, specifications, and engineering for the Tinker/Webster Extension Project (Tinker Extension Design CIP Project No. 04-105).

Commissioner Matarrese inquired why no other bidders are listed for the project.

The Redevelopment Manager responded the project went out to bid in 1999 and received two or three bids; stated the Contract was awarded to Bellecci and Associates and then was put on hold.

Commissioner Matarrese inquired why the project was not re-bid.

The Redevelopment Manager responded Bellecci and Associates has been working on the project; stated the City entered into a \$74,000 Contract to complete the project report for CalTrans.

Commissioner Matarrese inquired whether restarting with another firm would not be cost-effective.

The Redevelopment Manager responded in the affirmative; stated Bellecci and Associates developed all the base drawings.

Commissioner Matarrese inquired whether the City owns the base drawings, to which the Redevelopment Manager responded in the

affirmative.

Chair Johnson inquired whether 1999 figures were being used, to which the Redevelopment Manager responded the figures were revised.

Commissioner Daysog inquired whether the \$840,000 figure was submitted in 1999.

The Redevelopment Manager responded the figure was close to \$840,000; Public Works decided to complete only 65% or 75% of the design drawings because of budget problems at the time; Public Works reduced the scope of work.

Commissioner Daysog inquired whether the scope of work was reduced then or now, to which the Redevelopment Manager responded then.

Commissioner Daysog inquired whether the scope of work had been increased, to which the Redevelopment Manager responded in the affirmative.

Chair Johnson stated re-bidding is a matter of fairness.

The Public Works Director stated Bellecci and Associates is the most knowledgeable firm; another engineering firm would need to become familiar with the design.

Chair Johnson stated the issue is a matter of compliance with the competitive bidding process.

The Public Works Director stated staff is trying to expedite the project; timelines are tied to another project.

Chair Johnson stated the City is obligated to be fair and comply with the bidding process.

Commissioner Daysog noted the City put the project on hold.

Commissioner Gilmore stated the City approved the Contract in 1999, the project was put on hold in 2002; the project restarted in 2005; inquired why the Contract did not come back to the Commission in 2005.

The Public Works Director responded there still was money in the Contract.

The Redevelopment Manager stated the City has a Contract with Bellecci and Associates for the project report but does not have a Contract for plans, specifications, and engineering.

Commissioner Daysog stated the project was put on hold because of the City's policy decisions regarding retail.

Commissioner Matarrese stated the bid was put out, but the Contract was not executed; the City is now considering awarding an \$840,000 Contract without a bidding process.

Commissioner Gilmore inquired whether the price and scope are the same as in 1999, to which the Redevelopment Manager responded the price is the same but the scope was reduced in 1999.

Commissioner deHaan stated the matter should return at another meeting; the original Contract and background should be provided.

The Development Services Director stated staff could come back to the Commission with additional information; it is important to not lose embedded data; the engineers constantly work with the City; continuity should be discussed before changes are made.

Commissioner Matarrese stated the explanation provided by the Development Services Director was what he was seeking.

Commissioner Gilmore stated the staff report does not address continuity or amount of the Contract.

Chair Johnson inquired whether waiting two weeks causes a detriment or whether moving forward tonight would be better.

The Development Services Director responded that she would be happy to provide additional information to the Commission.

Commissioner Matarrese inquired whether the cost of switching to another firm exceeds the amount of savings.

The Development Services Director responded in the affirmative; stated the staff recommendation is the best and only way to go.

Chair Johnson stated the Commission should move forward with the staff recommendation.

Commissioner Daysog moved approval of the staff recommendation.

Commissioner Daysog inquired whether knocking down the walls of the Tube would be analyzed.

The Redevelopment Manager responded Public Works provided a report to the Commission on the matter.



Commissioner Gilmore seconded the motion.

Under discussion, Commissioner deHaan stated the project had a lot of miscues; he has no idea how much money has been spent or what was the original bid amount; staff reports need to be detailed.

On the call for the question, the motion carried by the following voice vote: Ayes: Commissioners Daysog, Gilmore, Matarrese, and Chair Johnson - 4. Abstentions: Commissioner deHaan - 1.

#### ADJOURNMENT

There being no further business, Chair Johnson adjourned the Special Meeting at 9:56 p.m.

Respectfully submitted,

Lara Weisiger  
Secretary

The agenda for this meeting was posted in accordance with the Brown Act.